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TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
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FR CITE: 82 FR 19022 FR CITE DATE: 04/25/2017

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-052

EFFECTIVE DATE: 01/25/2017 COURT CASE #:

PERIOD OF REVIEW: 01/01/2015 TO 12/31/2015

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Notice of preliminary determination and critical circumstances, in part, in the countervailing duty investigation of certain hardwood plywood products from the PRC (C-570-052)

1. On 04/25/2017, Commerce published in the Federal Register its preliminary affirmative determination and alignment of its final determination in the countervailing duty investigation of certain hardwood plywood products (hardwood plywood) from the People's Republic of China from 07/03/2017 until no later than 08/30/2017, thereby aligning it with the due date for the final determination in the antidumping duty investigation of hardwood plywood from the People's Republic of China (82 FR 19022).
2. The merchandise subject to this investigation is hardwood and decorative plywood, and certain veneered panels as described below. For purposes of this proceeding, hardwood and decorative plywood is defined as a generally flat, multilayered plywood or other veneered panel, consisting of two or more layers or plies of wood veneers and a core, with the face and/or back veneer made of non-coniferous wood (hardwood) or bamboo. The veneers, along with the core may be glued or otherwise bonded together. Hardwood and decorative plywood may include products that meet the American National Standard for Hardwood and Decorative Plywood, ANSI/HPVA HP-1-2016 (including any revisions to that standard).

For purposes of this investigation a "veneer" is a slice of wood regardless of thickness which is cut, sliced or sawed from a log, bolt, or flitch. The face and back veneers are the outermost veneer of wood on either side of the core irrespective of additional surface coatings or covers as described below.

The core of hardwood and decorative plywood consists of the layer or layers of one or more material(s) that are situated between the face and back veneers. The core may be composed of a range of materials, including but not limited to hardwood, softwood, particleboard, or medium-density fiberboard (MDF).

All hardwood plywood is included within the scope of this investigation regardless of whether or not the face and/or back veneers are surface coated or covered and whether or not such surface coating(s) or covers obscures the grain, textures, or markings of the wood. Examples of surface

coatings and covers include, but are not limited to: ultra violet light cured polyurethanes; oil or oil-modified or water based polyurethanes; wax; epoxy-ester finishes; moisture-cured urethanes; paints; stains; paper; aluminum; high pressure laminate; MDF; medium density overlay (MDO); and phenolic film. Additionally, the face veneer of hardwood plywood may be sanded; smoothed or given a “distressed” appearance through such methods as hand-scraping or wire brushing. All hardwood plywood is included within the scope even if it is trimmed; cut-to-size; notched; punched; drilled; or has underwent other forms of minor processing.

All hardwood and decorative plywood is included within the scope of this investigation, without regard to dimension (overall thickness, thickness of face veneer, thickness of back veneer, thickness of core, thickness of inner veneers, width, or length). However, the most common panel sizes of hardwood and decorative plywood are 1219 x 1829 mm (48 x 72 inches), 1219 x 2438 mm (48 x 96 inches), and 1219 x 3048 mm (48 x 120 inches).

Subject merchandise also includes hardwood and decorative plywood that has been further processed in a third country, including but not limited to trimming, cutting, notching, punching, drilling, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope product.

The scope of the investigation excludes the following items: (1) structural plywood (also known as “industrial plywood” or “industrial panels”) that is manufactured to meet U.S. Products Standard PS 1-09, PS 2-09, or PS 2-10 for Structural Plywood (including any revisions to that standard or any substantially equivalent international standard intended for structural plywood), and which has both a face and a back veneer of coniferous wood; (2) products which have a face and back veneer of cork; (3) multilayered wood flooring, as described in the antidumping duty and countervailing duty orders on Multilayered Wood Flooring from the People’s Republic of China, Import Administration, International Trade Administration. See Multilayered Wood Flooring from the People’s Republic of China, 76 FR 76690 (December 8, 2011) (amended final determination of sales at less than fair value and antidumping duty order), and Multilayered Wood Flooring from the People’s Republic of China, 76 FR 76693 (December 8, 2011) (countervailing duty order), as amended by Multilayered Wood Flooring from the People’s Republic of China: Amended Antidumping and Countervailing Duty Orders, 77 FR 5484 (February 3, 2012); (4) multilayered wood flooring with a face veneer of bamboo or composed entirely of bamboo; (5) plywood which has a shape or design other than a flat panel, with the exception of any minor processing described above; (6) products made entirely from bamboo and adhesives (also known as “solid bamboo”); and (7) Phenolic Film Faced Plyform (PFF), also known as Phenolic Surface Film Plywood (PSF), defined as a panel with an “Exterior” or “Exposure 1” bond classification as is defined by The Engineered Wood Association, having an opaque phenolic film layer with a weight

equal to or greater than 90g/m³ permanently bonded on both the face and back veneers and an opaque, moisture resistant coating applied to the edges.

Excluded from the scope of these investigations are wooden furniture goods that, at the time of importation, are fully assembled and are ready for their intended uses. Also excluded from the scope of these investigations is “ready to assemble” (RTA) furniture. RTA furniture is defined as furniture packaged for sale for ultimate purchase by an end-user that, at the time of importation, includes 1) all wooden components (in finished form) required to assemble a finished unit of furniture, 2) all accessory parts (e.g., screws, washers, dowels, nails, handles, knobs, adhesive glues) required to assemble a finished unit of furniture, and 3) instructions providing guidance on the assembly of a finished unit of furniture.

Excluded from the scope are kitchen cabinets that, at the time of importation, are fully assembled and are ready for their intended uses. Also excluded from the scope of these investigations are RTA kitchen cabinets. RTA kitchen cabinets are defined as kitchen cabinets packaged for sale for ultimate purchase by an end-user that, at the time of importation, includes 1) all wooden components (in finished form) required to assemble a finished unit of cabinetry, 2) all accessory parts (e.g., screws, washers, dowels, nails, handles, knobs, hooks, adhesive glues) required to assemble a finished unit of cabinetry, and 3) instructions providing guidance on the assembly of a finished unit of cabinetry.

Imports of hardwood plywood are primarily entered under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4412.10.0500; 4412.31.0520; 4412.31.0540; 4412.31.0560; 4412.31.2510; 4412.31.2520; 4412.31.4040; 4412.31.4050; 4412.31.4060; 4412.31.4075; 4412.31.4080; 4412.31.5125; 4412.31.5135; 4412.31.5155; 4412.31.5165; 4412.31.5175; 4412.31.6000; 4412.31.9100; 4412.32.0520; 4412.32.0540; 4412.32.0565; 4412.32.0570; 4412.32.2510; 4412.32.2525; 4412.32.2530; 4412.32.3125; 4412.32.3135; 4412.32.3155; 4412.32.3165; 4412.32.3175; 4412.32.3185; 4412.32.5600; 4412.94.1030; 4412.94.1050; 4412.94.3105; 4412.94.3111; 4412.94.3121; 4412.94.3141; 4412.94.3161; 4412.94.3175; 4412.94.4100; 4412.99.0600; 4412.99.1020; 4412.99.1030; 4412.99.1040; 4412.99.3110; 4412.99.3120; 4412.99.3130; 4412.99.3140; 4412.99.3150; 4412.99.3160; 4412.99.3170; 4412.99.4100; 4412.99.5115; and 4412.99.5710.

Imports of hardwood plywood may also enter under HTSUS subheadings 4412.39.1000; 4412.39.3000; 4412.39.4011; 4412.39.4012; 4412.39.4019; 4412.39.4031; 4412.39.4032; 4412.39.4039; 4412.39.4051; 4412.39.4052; 4412.39.4059; 4412.39.4061; 4412.39.4062; 4412.39.4069; 4412.39.5010; 4412.39.5030; 4412.39.5050; 4412.99.6000; 4412.99.7000; 4412.99.8000; 4412.99.9000; 4412.10.9000; 4412.94.5100; 4412.94.9500; and 4412.99.9500.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

3. This investigation has been assigned investigation number C-570-052.

4. Because Commerce determined that critical circumstances exist for imports of hardwood plywood from the People's Republic of China from the producers and/or exporters listed below, CBP shall suspend liquidation of all appropriate entries of hardwood plywood from the People's Republic of China that are entered, or withdrawn from warehouse, for consumption on or after 01/25/2017, which is 90 days before the date of publication of the preliminary determination in the Federal Register. Effective 01/25/2017, for entries of hardwood plywood from the People's Republic of China from the producers and/or exporters listed below, CBP shall require a cash deposit equal to the following dumping margins:

All-Others

Case number: C-570-052-000

Subsidy rate: 9.89%

Producer and/or exporter: Shandong Dongfang Bayley Wood Co., Ltd.; Linyi Yinhe Panel Factory

Case number: C-570-052-002

Subsidy rate: 111.09%

Producer and/or exporter: Anji Qichen Bamboo Industry Co. Ltd.

Case number: C-570-052-003

Subsidy rate: 111.09%

Producer and/or exporter: Deqing Shengqiang Wood Co., Ltd.

Case number: C-570-052-004

Subsidy rate: 111.09%

Producer and/or exporter: Guangxi Sunway Cen.Xi Artificial Board Ltd.

Case number: C-570-052-005

Subsidy rate: 111.09%

Producer and/or exporter: Guangxi Sunway Forest Products Industry Co., Ltd.

Case number: C-570-052-006

Subsidy rate: 111.09%

Producer and/or exporter: Hebei Tongli Wood Co., Ltd.

Case number: C-570-052-007

Subsidy rate: 111.09%

Producer and/or exporter: Heze Fulin Wood Products Co., Ltd.

Case number: C-570-052-008

Subsidy rate: 111.09%

Producer and/or exporter: Jiashan Minghong Wood Industry Co., Ltd.

Case number: C-570-052-009

Subsidy rate: 111.09%

Producer and/or exporter: Jiaxing Brilliant Import & Export Co., Ltd.

Case number: C-570-052-010

Subsidy rate: 111.09%

Producer and/or exporter: Joc Yuantai International Trading Co., Ltd.

Case number: C-570-052-011

Subsidy rate: 111.09%

Producer and/or exporter: Keens Products

Case number: C-570-052-012

Subsidy rate: 111.09%

Producer and/or exporter: King Sheng

Case number: C-570-052-013

Subsidy rate: 111.09%

Producer and/or exporter: Kunming Alston Ast Wood Products Co., Ltd.

Case number: C-570-052-014

Subsidy rate: 111.09%

Producer and/or exporter: Langfang Baomujie Wood Co., Ltd.

Case number: C-570-052-015

Subsidy rate: 111.09%

Producer and/or exporter: Larkcop International Co., Ltd.

Case number: C-570-052-016

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Cathay Pacific Wood Factory

Case number: C-570-052-017

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Celtic Wood Co., Ltd.

Case number: C-570-052-018

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Dongri Plywood Co., Ltd.

Case number: C-570-052-019

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Hongma

Case number: C-570-052-020

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Jinhua Wood Co., Ltd.

Case number: C-570-052-021

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Kai Yi Arts and Crafts Co., Ltd.

Case number: C-570-052-022

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Laiyi Timber Industry Co., Ltd.

Case number: C-570-052-023

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Lianyi Wood Co., Ltd.

Case number: C-570-052-024

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Raya Commerce

Case number: C-570-052-025

Subsidy rate: 111.09%

Producer and/or exporter: Linyi Yutai Wood Co., Ltd.

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Case number: C-570-052-026

Subsidy rate: 111.09%

Producer and/or exporter: Lishui Liancheng Pencil Manufacturing Co., Ltd.

Case number: C-570-052-027

Subsidy rate: 111.09%

Producer and/or exporter: Mol Consolidation Service

Case number: C-570-052-028

Subsidy rate: 111.09%

Producer and/or exporter: Ningbo Asia Pulp and Paper

Case number: C-570-052-029

Subsidy rate: 111.09%

Producer and/or exporter: Ningbo Zhonghua Paper

Case number: C-570-052-030

Subsidy rate: 111.09%

Producer and/or exporter: Qiangsheng Wood Co., Ltd.

Case number: C-570-052-031

Subsidy rate: 111.09%

Producer and/or exporter: Qingdao Liansheng International Trading

Case number: C-570-052-032

Subsidy rate: 111.09%

Producer and/or exporter: Qufu Shengda Wood Co., Ltd.

Case number: C-570-052-033

Subsidy rate: 111.09%

Producer and/or exporter: Shandong Fengtai Wood Co., Ltd.

Case number: C-570-052-034

Subsidy rate: 111.09%

Producer and/or exporter: Shandong Hongyang Fire Resistant

Case number: C-570-052-035

Subsidy rate: 111.09%

Producer and/or exporter: Shandong Xingang Group

Case number: C-570-052-036

Subsidy rate: 111.09%

Producer and/or exporter: Shanghai Sunshine Decorative Materials Co., Ltd.

Case number: C-570-052-037

Subsidy rate: 111.09%

Producer and/or exporter: Shenghe Wood Company Ltd.

Case number: C-570-052-038

Subsidy rate: 111.09%

Producer and/or exporter: Shouguang Evergreen Im & Ex Co. Ltd.

Case number: C-570-052-039

Subsidy rate: 111.09%

Producer and/or exporter: Shouguang Taizhong Wood Co., Ltd.

Case number: C-570-052-040

Subsidy rate: 111.09%

Producer and/or exporter: Siyang Jiayuan Woodindustry Co., Ltd.

Case number: C-570-052-041

Subsidy rate: 111.09%

Producer and/or exporter: Siyang Senda Wood Industry Co., Ltd.

Case number: C-570-052-042

Subsidy rate: 111.09%

Producer and/or exporter: Suqian Bairun Wood Industry Co., Ltd.

Case number: C-570-052-043

Subsidy rate: 111.09%

Producer and/or exporter: Suqian Foreign Trade Co., Ltd.

Case number: C-570-052-044

Subsidy rate: 111.09%

Producer and/or exporter: Suqian Sulu Wood Industry Co., Ltd.

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Case number: C-570-052-045

Subsidy rate: 111.09%

Producer and/or exporter: Suzhou Dong He Wood Co., Ltd.

Case number: C-570-052-046

Subsidy rate: 111.09%

Producer and/or exporter: Tianjin Canex

Case number: C-570-052-047

Subsidy rate: 111.09%

Producer and/or exporter: Tianjin Zhanye Metal Products Co., Ltd.

Case number: C-570-052-048

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Fuyuan Wood Co., Ltd.

Case number: C-570-052-049

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Hongwei Wood Co., Ltd.

Case number: C-570-052-050

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Ruilin Timber Co., Ltd.

Case number: C-570-052-051

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Shenghe Wood Products

Case number: C-570-052-052

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Woodhi Trading Co. Ltd.

Case number: C-570-052-053

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Yishun Brightwood Co. Ltd.

Case number: C-570-052-054

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Zhongda Building Materials Co., Ltd.

Case number: C-570-052-055

Subsidy rate: 111.09%

Producer and/or exporter: Xuzhou Zhongyuan Wood Co., Ltd.

Case number: C-570-052-056

Subsidy rate: 111.09%

Producer and/or exporter: Yixing Lion-King Timber Industry Co., Ltd.

Case number: C-570-052-057

Subsidy rate: 111.09%

Producer and/or exporter: Zhejiang Deqing Shengqiang Wood Co., Ltd.

Case number: C-570-052-058

Subsidy rate: 111.09%

Producer and/or exporter: Zhejiang Fuerjia Wooden Company

Case number: C-570-052-059

Subsidy rate: 111.09%

Producer and/or exporter: Zhejiang Jufeng Wood Co., Ltd.

Case number: C-570-052-060

Subsidy rate: 111.09%

Producer and/or exporter: Zhejiang Xinyuan Bamboo Products Co., Ltd.

Case number: C-570-052-061

Subsidy rate: 111.09%

Producer and/or exporter: Zhejiang Yongyu Bamboo Joint-Stock Co., Ltd.

Case number: C-570-052-062

Subsidy rate: 111.09%

5. Commerce found that critical circumstances do not exist for imports of hardwood plywood from the People's Republic of China from the producer and/or exporter listed below. For imports of hardwood plywood from the People's Republic of China from the producer and/or exporter listed below, CBP shall suspend liquidation of such entries which were entered, or withdrawn from warehouse, for consumption on or after 04/25/2017. Effective 04/25/2017, for entries of hardwood

plywood from the People's Republic of China from the producer and/or exporter listed below, CBP shall require a cash deposit equal to the following dumping margins:

Producer and/or exporter: Linyi Sanfortune Wood Co., Ltd.

Case number: C-570-052-001

Subsidy rate: 9.89%

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV: MR.)

7. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party